Remarks

In the official action, the Examiner lists, on page 2 thereof, several minor claim objections with respect to claims 1, 2 and 9. As the Examiner will note by reference to those claims, the requested amendments have been carried out.

However, the Examiner objected to claim 8 under 37 CFR 1.75(c ) as allegedly being of improper multiply dependent form. The Examiner is respectfully requested to review the Preliminary Amendment that accompanied this application when it was initially filed. In the Preliminary Amendment, the multiple dependency issue was addressed and therefore claim 8 is not of improper form as it presently stands.

The Examiner is respectfully requested to check to ensure that Applicant has not been charged any official fees for the presentation of multiply dependent claims, given the fact that no multiply dependent claims were presented for examination purposes.

Since the Examiner has not treated claim 8 on its merits in terms of patentability over the prior art, should the Examiner decide to reject that claim in any future official action on prior art grounds, then the Applicant is entitled to receive a non-final rejection.

With respect to the parenthetical phrases identifying the names of the XML files, the Examiner will note that those phrases have been deleted. As such, the rejection of the claims under 35 U.S.C. 112, second paragraph, has been overcome. It is noted that if the Examiner did consider the parenthetical information to be part of the claimed invention, then the deletion of those terms from the claims is a broadening amendment.

Claims 1-3, 5, 7 and 9-11 were rejected under 35 U.S.C. 103 as allegedly being unpatentable over WO 99/16003 to Newman in view of US Patent No. 5,860,071 to Ball. This grounds for rejection is respectfully traversed.

The independent claims, namely claims 1 and 9 have been amended to indicate that the HTML page is generated "in the user's computer" using a web browser "in the user's

computer." The advantage of using an HTML page which is generated locally, that is, in the user's computer is described in the first whole paragraph on page 4 of the application as filed.

Newman, on the other hand, is different. As Newman points out on page 3 of the specification as published, Newman suggests "a network including one or more client computers which can retrieve web pages and supplemental content items, such as advertisements, from one or more server computers, for displaying or other processing." In a similar fashion, on page 5 of the application as published, Newman talks about the fact that his system provides an arrangement "for providing client-side personalization of the content of web pages that are downloadable over networks such as the Internet and the World Wide Web." As such, Newman teaches away from the present invention as claimed.

Six new dependent claims are added by this response. Claim 12 recites the process according to claim 1 wherein the HTML page is generated at the user's computer "in response to the occurrence of predetermined conditions." This feature is discussed at page 13 of the present application. It should be apparent to the Examiner that the present system can be functional even when not connected to the Internet in that it can certainly create the locally generated HTML pages in the user's computer using a previously downloaded offer file in response to "the occurrence of predetermined conditions" as recited in new claim 12 at a time when the user's computer is not, for example, connected to the Internet.

Since the independent claims are patentable over the prior art, there is no particular need to discuss the dependent claims. However, it is believed that one comment needs to be made with respect to claim 3. Turning to claim 3, claim 3 recites that "the polling is executed after a predetermined period, and when the user requests the establishment of an Internet connection." The Examiner asserts that that feature is met by Ball, citing column 5, lines 64 through column 6, line 23. With all due respect to the Examiner, it is not seen how Ball meets the limitation of claim 3. Where is there any discussion at the point referred to by the Examiner of polling that is executed "when the user requests the establishment of an Internet connection" as specifically claimed by claim 3? It is

asserted that claim 3 is not met by the asserted combination of Newman and Ball.

Reconsideration of this application as amended is respectfully requested.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

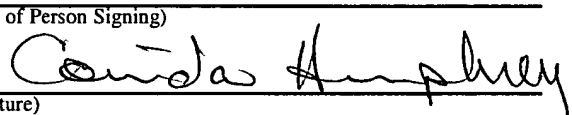
I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents POB 1450, Alexandria, VA 22313-1450 on

August 9, 2004

(Date of Deposit)

Corinda Humphrey

(Name of Person Signing)



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August 9, 2004

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